

Federal judge orders Mill Bay Resort to reopen: Campground must restore utilities, allow access to members

By Laurie Smith, World staff writer

MANSON - A U.S. District Court judge has ordered the owners of a Manson recreational vehicle campground to reopen the facility and to restore utilities cut off in late March.

Judge Fremming Nielsen in Spokane granted Thursday a temporary restraining order sought by Mill Bay Resort members. The order restrains Chief Evans Inc. from taking further action to close the campground until the court can consider the issues raised by the resort members' lawsuit against Chief Evans.

Chief Evans sold 25- and 50-year memberships during the 1980s and '90s to about 180 families. In recent years, the company has said it can no longer afford to operate the campground - located on Indian trust land on Lake Chelan's north shore - at a loss.

Last month, the company turned off the power and water and announced it was closing the campground to recreational use. Members would be allowed access only for the purpose of removing or securing their belongings, Chief Evans' Wenatchee attorney Mike Arch said in a March 21 letter.

"We're very pleased with the ruling the court gave us," said resort member and lead plaintiff Paul Grondal of Issaquah. "This gives the members the right to go back in and use the park again."

Arch could not be reached for comment on Friday, and calls to the Mill Bay Resort office went unanswered.

The resort members originally filed suit in November in Chelan County Superior Court, alleging fraud, misrepresentation and breach of contract. Chief Evans removed the case to U.S. District Court last month, saying the federal court has jurisdiction because the campground is located on land owned and operated by the U.S. Bureau of Indian Affairs for the benefit of certain individual Indians and the Colville Tribe.

In his order, Nielsen questioned whether federal court has jurisdiction over the case. A telephone hearing on that issue is scheduled for 8:30 a.m. this coming Friday.

Laurie Smith can be reached at 664-7153 or by e-mail at smith@wenworld.com